IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

WP(C).No. 13008 of 2006(W)

PETITIONER:

FRANCIS NJALIL, S/O.JOSEPH,
AGED 42 YEARS, NJALIL HOUSE, NEELESWARAM P.O.,
VIA. KALADY, ERNAKULAM DISTRICT.

BY ADV. SRI.RAJESH VIJAYAN

RESPONDENTS:

1.THE DISTRICT COLLECTOR, ERNAKULAM.

2.THE REVENUE DIVISION OFFICER,
FORT KOCHI.

3.THE KALADY GRAMA PANCHAYATH,
KALADY.

4.TOMY, S/O.AVIRAH, KOLENCHERRY VEEDU,
KALADY VILLAGE, ERNAKULAM DISTRICT.

5.K.C.VICTOR, KOLENCHERRY VEEDU,
NEELESWARAM P.O., KALADY VILLAGE, ERNAKULAM DIST.

R1-R2 BY GOVT. PLEADER MR.K.J.MOHAMMED ANSAR
R3 BY ADV. SRI.DINESH MATHEW J.MURICKEN
R4-R5 BY ADV.SRI.T.A.UNNIKRISHNAN
SMT.RESHMI POULOSE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.13008 of 2006

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Dated: 8th March, 2007

JUDGMENT

Mr.T.A.Unnikrishnan, counsel for respondents 4 and 5 submits that the Writ Petition has become infructuous. An adjournment is sought for on behalf of the counsel for the petitioner who submits that the Writ Petition has not become infructuous. Counsel for respondents 4 and 5 submits that the season is over and that they will not conduct further mining activities since the entire mud in the property was removed on the strength of the police protection order issued by this court in W.P.C.No.3659 of 2005. Recording the submission that further mining will not be conducted, the Writ Petition will stand closed as infructuous.

srd **PIUS C.KURIAKOSE, JUDGE**